

**REPORT TO THE ENVIRONMENTAL QUALITY BOARD
RESPONSE TO COMMENTS
PROPOSED STREAM REDESIGNATIONS**

Blue Eye Run (WQN), et al.

The Environmental Quality Board approved the proposed rulemaking for the Blue Eye Run (WQN), et al. package at its April 21, 2009 meeting. The proposed rulemaking was published in the *Pennsylvania Bulletin* on June 20, 2009 (39 Pa.B 3043) with provision for a 45-day public comment period that closed on August 4, 2009. Comments were received from 1 commentator.

On June 5, 2009, the Department submitted a copy of the proposed rulemaking published at 39 Pa.B 3043 on June 20, 2009 to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate and House Environmental Resources and Energy Committees for review and comment in accordance with Section 5(a) of the Regulatory Review Act (71 P.S. § 745.5(a)). Neither IRRC nor the Committees raised any comments, recommendations, or objections to any portion of the proposed rulemaking, and no changes were made from the proposed rulemaking to this final-form regulation; therefore under Section 5(g) of Regulatory Review Act, the final rulemaking will be deemed approved by IRRC.

Supportive Comment – Entire Package

Comment: U.S. EPA Region 3 has no comments on the proposed redesignations, but does offer its commendation to DEP in its continuing effort to upgrade streams into its highest level of the Special Protection Waters Program. (1)

Response: The Department appreciates this supportive comment on the proposed redesignations.

This is a list of corporations, organizations and interested individuals from whom the Environmental Quality Board has received comments regarding the above referenced regulation.

ID	Name/Address	Submitted one page Summary for distribution to EQB	Provided Testimony	Requested Final Rulemaking following EQB Action
1.	U.S. Environmental Protection Agency Region III Larry Merrill, Acting Associate Director Office of Standards, Assessment and TMDLs Water Protection Division 1650 Arch Street Philadelphia, PA 19103-2029	NO	N/A	NO